

FILED
5/6/21 3:42 pm

CLERK

U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: Peter F. Rotondo, Jr.	:	Bankruptcy No. 18-24020
Debtor(s)	:	
	:	Chapter 13
Peter F. Rotondo, Jr.	:	
Movant	:	Related to Dkt. No. 62
v.	:	Hearing: May 5, 2021
Win Plus Management LLC, Estate of Peter F.	:	at 1:30 p.m.
Rotondo, Sr., Shaler Township, Shaler Area	:	
School District, County of Allegheny,	:	
Allegheny County Sanitary Authority,	:	
Hampton Shaler Water Authority and	:	
Ronda J. Winnecour, Trustee,	:	
Respondents	:	

**ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY
FREE AND CLEAR OF LIENS**

AND NOW, this 6th day of May 2021, , on consideration of the Debtor's Motion for Sale of Property Free and Clear of Liens to Win Plus Management LLC for \$156,000.00, after hearing held by zoom conference, this date, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above-named Respondents, was affected on the following secured creditors whose liens are recited in said Motion for Private sale, viz:

<u>DATE OF SERVICE</u>	<u>NAME OF LIENOR AND SECURITY</u>
April 2, 2021	Shaler Township 300 Wetzel Road, Glenshaw, PA 15116
	Shaler Area School District 1800 Mt. Royal Blvd. Glenshaw, PA 15116-2196
	County of Allegheny Allegheny County Treasurer Room 109 Courthouse 436 Grant Street Pittsburgh, PA 15219-2497
	Allegheny County Sanitary Authority 3300 Preble Avenue

Pittsburgh, PA 15233

**Hampton Shaler Water Authority
P.O. Box 66
3101 McCully Road
Allison Park, PA 15101**

**Ronda J. Winneccour
Served by CM/ECF**

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of service duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised on the Court's website pursuant to W.PA LBR 6004-1(c)(2), in the Pittsburgh Legal Journal on April 23, 2021 and in the Pittsburgh Post Gazette on April 22, 2021 as shown by the Proof of Publications that are to be duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Buyer and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$156,000.00 offered by Win Plus Management LLC was a full and fair price for the property in question.

(6) That the Buyer has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d.143 (*3d Cir. 1986).

Now therefore, IT IS ORDERED, ADJUDGED AND DECREED, that the sale by Special Warranty deed of the real property described as the parcel of real estate situated in Allegheny County, Pennsylvania known as 1934 Wood Place, Glenshaw PA 15116 with Parcel ID: 0433-M-00260 is hereby CONFIRMED to Win Plus Management LLC for \$156,000.00 free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Buyer above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby, are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing *in the following order of priority. Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. The distributions specifically authorized herein are:

- (1) Delinquent real estate taxes and municipal fees, if any;
- (2) Current real estate taxes, pro-rated to the date of closing;
- (3) Normal closing costs including title search, legal fees, revenue stamps, and any other normal and necessary closing costs including any legal fees and costs related to subdivision and title work;
- (4) Chapter 13 Trustee "percentage fees" in the amount of \$ _____ payable to

- “Ronda J. Winnecur, Ch. 13 Trustee, P. O. Box 2587, Pittsburgh, PA 15230”;
- (5) The costs of local newspaper advertising in the amount of \$65 payable to Anderson & Labovitz, LLC, 428 Forbes Avenue, Suite 1901, Pittsburgh, PA 15219;
- (6) The costs of legal journal advertising in the amount of \$69 payable to Anderson & Labovitz, LLC, 428 Forbes Avenue, Suite 1901, Pittsburgh, PA 15219;
- (7) The Court filing fee of \$181.00 payable to Anderson & Labovitz, LLC, 428 Forbes Avenue, Suite 1901, Pittsburgh, PA 15219;
- (8) The Court approved realtor commission in the amount of \$7,800.00;
- (9) The Court approved attorney fees for Debtor’s counsel in the amount of \$2,400.00 payable to Anderson & Labovitz, LLC, 428 Forbes Avenue, Suite 1901, Pittsburgh, PA 15219;
- (10) The “net proceeds” from the closing (if any) as identified on the HUD-1 to the Chapter 13 Trustee payable to “Ronda J. Winnecur, Ch. 13 Trustee. P. O. Box 84051, Chicago, IL 60689-4002”;

FURTHER ORDERED that:

- (1) *Within seven (7) days of the date of this Order*, the Movant/Plaintiff shall serve a copy of the within Order on each Respondents/Defendants (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the Debtors, the Closing Agent, the Buyers, and the attorney for the Buyers, if any, ad file a certificate of service.
- (2) *Closing shall occur within thirty (30) days of this Order.*
- (3) *Within seven (7) days following closing, the Movants/Plaintiffs shall file a Report of Sale* which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.
- (5) Notwithstanding anything in the sale agreement to the contrary, any pre-closing dispute shall be submitted to the bankruptcy court for resolution provided that the bankruptcy case is pending at the time.



GREGORY TADDONIO **jah**
UNITED STATES BANKRUPTCY JUDGE

In re:
Peter Frank Rotondo, Jr.
Debtor

Case No. 18-24020-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dkam

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Date Rcvd: May 06, 2021

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 08, 2021:

Recip ID	Recipient Name and Address
db	+ Peter Frank Rotondo, Jr., 129 Grant Avenue, Pittsburgh, PA 15209-2607

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 08, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 6, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmllawgroup.com
Jason R. Johns	on behalf of Debtor Peter Frank Rotondo Jr. jjohns@palawfirm.com, jason.johns@johnslawpc.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Millvale jhunt@grblaw.com cnoroski@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnenour	cmecl@chapter13trusteedpda.com

District/off: 0315-2

User: dkam

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Date Rcvd: May 06, 2021

Form ID: pdf900

Total Noticed: 1

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 7